IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

RPFC.No. 74 of 2007()

AGAINST THE ORDER IN CMP 1499/04 IN
MC.350/2002 of FAMILY COURT, KOZHIKODE

.....

REVISION PETITIONER:

A.K. MUTHUKOYA, S/O.CHERIYA KOYA,
AKKARA HOUSE, UNION TERRITORY OF LAKSHADEEP,
KALPENI ISLAND.

BY ADV. SRI.K.ABDUL JAWAD
SRI.M.MUHAMMED SHAFI

RESPONDENTS:

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1. M.T. AYISHABI, D/O.ABDULLA,
THOTTOLIPADAM PARAMBU, FRANCIS ROAD,
NAGARAM ASMOM DESOM, P.O.KALLAI,
KOZHIKODE DISTRICT.

2. STATE OF KERALA, REPRESENTED
BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU
PUBLIC PROSECUTOR SRI.BREEZE M.S.

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON 02/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

R.P.(FC) No.74 of 2007

Dated this the 2nd day of March, 2007

ORDER

Revision petitioner has sought for setting aside the order of the court below rejecting his application to set aside the ex-parte order.

2. The same was opposed.

3. I find from the order of the court below that on four times on his applications, the ex-parte orders were set aside. The reason mentioned is that he is in his old age and is suffering from various ailments and even difficult to move properly and hence he could not adduce evidence in the matter. I find that he had sufficient opportunity to adduce evidence if he so desired. There is no ground to interfere.

The revision petition is dismissed.

K.R.UDAYABHANU,
JUDGE

csl

K.R.UDAYABHANU, J

Crl.R.P.No.929 of 1997

ORDER

26th February, 2007